

NOT FOR PUBLICATION

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE**

CALVIN B. BROOKS,

Plaintiff,

v.

KEVIN DARDZINSKI, *et al.*,

Defendants.

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Civ. No. 14-7474(JMV)

OPINION

VAZQUEZ, District Judge:

Plaintiff, an inmate confined in the Anna M. Kross Center ("A.M.K.C.") correctional facility in East Elmhurst, New York, filed this civil rights action on December 1, 2014, pursuant to 42 U.S.C. § 1983. (Compl., ECF No. 1.) On November 17, 2016, this Court permitted the Complaint to proceed in part, and ordered Plaintiff to show cause why the action should not be transferred to the United States District Court, Southern District of New York, pursuant to 28 U.S.C. § 1404(a). (ECF Nos. 10, 11.) The Clerk of Court mailed copies of this Court's Opinion and Order to Plaintiff at his last known address. On December 5, 2016, the mail was returned as undeliverable. (ECF No. 13.)

Local Civil Rule 10.1(a) provides, in relevant part:

unrepresented parties must advise the Court of any change in their . . . address within seven days of being apprised of such change by filing a notice of said change with the Clerk. Failure to file a notice of change may result in the imposition of sanctions by the Court.

Dismissing a Plaintiff's Complaint without prejudice is an appropriate remedy for noncompliance with this rule. See Archie v. Dept. of Corr., Civ. No. 12-2466 (RBK/JS), 2015 WL 333299, at *1 (D.N.J. Jan. 23, 2015) (collecting cases). This case cannot proceed without Plaintiff's current address. Therefore, the Court dismisses the case without prejudice, subject to reopening upon good cause shown by Plaintiff.

Dated: February 21, 2017

s/ John Michael Vazquez
JOHN MICHAEL VAZQUEZ
United State District Judge